

SENATE BILL 1330
By Haynes

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 7,
Part 8, relative to the Tennessee Baccalaureate
Education System Trust Act.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-7-804, is amended by
adding the following new subsection:

(g) The board may delegate to the State Treasurer the duty to carry out the
day-to-day operations and responsibilities of the program. In exercising such
delegation, the State Treasurer shall be authorized to exercise such powers as
are vested in the board which are necessary to fulfill the delegated duties and
responsibilities, and may assign any such duties and responsibilities to his staff
as he deems necessary and proper.

SECTION 2. Tennessee Code Annotated, Section 49-7-809(a)(1), is amended
by adding the word "or" at the end of subdivision (C), by deleting the punctuation and
word "; or" at the end of subdivision (D) and by substituting instead a period ("."), and
by deleting subdivision (E) in its entirety.

SECTION 3. Tennessee Code Annotated, Section 49-7-809(d), is amended by
deleting it in its entirety and by substituting instead the following:

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(d) If a beneficiary is the recipient of a scholarship, a waiver of tuition, or similar subvention that the board determines cannot be converted into money by the beneficiary, the board shall upon the request of the beneficiary and upon being furnished information about the scholarship, waiver or similar subvention:

(1) refund to the person designated in the contract an amount determined by the board pursuant to subsection (b) of this section provided that such amount shall not be less than the total purchase price of the tuition units that are not needed on account of the scholarship, waiver, or similar subvention for that term at the institution of higher education where the beneficiary is enrolled. The board may, at its sole option, designate the institution of higher education at which the beneficiary is enrolled as the agent of the board for purposes of refunds pursuant to this subsection (d);

(2) retain the tuition units in the beneficiary's account for later use; or

(3) transfer the tuition units to a new beneficiary pursuant to such rules or regulations promulgated by the board pursuant to § 49-7-805(15).

SECTION 4. Tennessee Code Annotated, Section 49-7-823, is amended by deleting it in its entirety.

SECTION 5. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 6. This act shall take effect upon becoming a law, the public welfare requiring it.